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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott Miller

Examiner: KUMAR, Shailendra

Serial No.: 09/776,936

Group Art Unit: 1621

Filed: 12/22/98

Title: INHIBITION OF RAF KINASE USING SYMMETRICAL AND  
UNSYMMETRICAL SUBSTITUTED DIPHENYL UREAS

**REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to the Office Action mailed on November 2, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 20 of this paper.

I hereby certify that this correspondence is being deposited with the U.S. Postal Services as First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Washington, D.C. 20231 on February 2, 2005

Name: Richard J. Traverso

Signature: 

Date: February 2, 2005

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isomers, concerned situations where the uses of the compounds were the same. See *In re Kilsheimer*, 146 USPQ 491 (CCPA 1965) and *In re Crounse*, 150 USPQ 554 (CCPA 1966). Nothing in the case law provides support for the Office Action's position over the rejected claims.

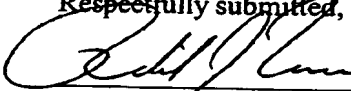
As mentioned above, several independent claims further distinguish the reference in that the pKa values of the claimed compounds are different than those of Widdowson's compounds. This pKa limitation in the claims cannot be ignored as this limitation helps eliminate overlap with Widdowson. It clearly would not be obvious to prepare diphenyl urea compounds with a pKa value greater than 10 based on this reference.

Because nothing in the reference teaches or suggest compounds of the claims, the claims of the present application are not obvious.

Reconsideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: BAYER-6P1

Date: February 2, 2005

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